

## REMARKS

The Application has been carefully reviewed in light of the Office Action dated August 30, 2004. Claims 1 to 12, 14 and 16 to 33 are in the application, of which Claims 1, 21, 22, 24, 28 and 33 are independent. Claims 13 and 15 are being canceled without prejudice or disclaimer of the subject matter. Claims 1, 3, 10, 11, 12, 14, 16 to 18, 21, 22, 24, 28, 31 and 33 are being amended. Reconsideration and further examination are respectfully requested.

Applicants gratefully acknowledge the Office Action's indication of patentable subject matter, with Claims 16 and 17 being allowable if rewritten in independent form. Claims 1, 21 and 22 are amended to substantially include the limitations of Claim 16, together with Claim 13, from which Claim 16 depends. Accordingly, Claims 1, 21 and 22 are believed to be in condition for allowance.

By the Office Action, Claims 1, 4, 5, 9, 11, 13, 14, 15 and 21 to 23 are rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,668,996 (Randisky), and Claims 2, 3, 6 to 8, 10, 12, 18 to 20 and 24 to 33 are rejected under 35 U.S.C. § 103(a) over Randisky and the discussion of related art found in the present application.

Claims 24 defines a method of providing forward compatibility of device driver code of an unchangeable application with a plurality of device models, wherein the application is not linked to other executable code. According to the method, device model independent device driver code is included in the application. A model is determined of the device to which the application is to interface. Model dependent configuration data is read for the model of the device. A device driver is generated for the model of the device

by configuring the device model independent device driver code with the model dependent configuration data.

The applied art is not seen to disclose each and every one of the above features, particularly as regards generating a device driver for a determined device model by configuring device-model-independent device driver code included in an application using device model dependent configuration data for the determined device model.

Randisky is seen to describe using a proxy device driver which interfaces with an application and a compound MCI device driver, such that the proxy causes sound that would otherwise be rendered from data retrieved from a CDROM to be retrieved from a sound file stored on a hard disk drive and rendered on a local sound card. (See Randisky, Abstract and Figure 2)

Referring to col. 4, lines 41 to 54, and col 5, commencing at line 40, Randisky is seen to install a proxy device driver in place of the driver normally used by the application to interface with the simple device, such as a CD drive. The proxy device driver allows the application to interface with it in a transparent manner such that the application is not aware that it is interfacing with the proxy device driver. The proxy driver also interfaces with the compound device driver to cause the compound device driver to retrieve the sound file from mass storage and to render the audio content.

The Office Action, at page 5, refers to a device mode and seems to consider a device mode to be the same as a multimedia application program. However, an application program is clearly different from a model of a device to which an application is to interface, as is recited in the present invention. In addition, the Office Action refers col.

6, lines 20 to 27 and col. 8, lines 20 to 27, which are seen to describe the proxy driver generating timing parameters of a type needed by a specific compound device driver, either a WAVE device driver or a Redbook device driver, and supplying a filename of the sound file that is to be used by the compound device driver to render the sound. In both cases the proxy device driver is seen merely to be providing a transparent interface between an application and a compound device driver.

However, Marsden is not seen to generate a device driver for a determined device model by configuring device-model-independent device driver code included in an application using device model dependent configuration data for the determined device model.

Therefore, for at least the foregoing reasons, Claim 24 is believed to be in condition for allowance. Further, Applicants submit that Claims 28 and 33 are believed to be in condition for allowance for at least the same reasons.

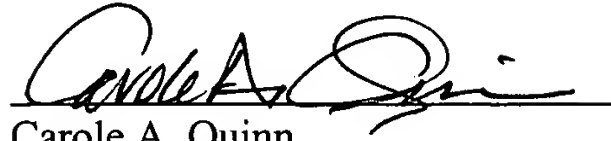
The other claims are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to

our address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Carole A. Quinn", written over a horizontal line.

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